

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

CASE NO.: 09-20127-CIV-MORENO/TORRES

GLOBAL INNOVATION TECHNOLOGY
HOLDINGS, LLC,
and
INFORMATION PROTECTION AND
AUTHENTICATION OF TEXAS, LLC

Plaintiffs,

V.

ACER AMERICA CORP.,
ALIENWARE CORP.,
AMERICAN FUTURE TECHNOLOGY
CORP., d/b/a IBUYPOWER COMPUTER,
APPLE INC.,
ASUS COMPUTER INTERNATIONAL,
DELL INC.,
FUJITSU COMPUTER SYSTEMS CORP.,
GATEWAY, INC.,
HEWLETT-PACKARD CO.,
LENOVO INC.,
MOTION COMPUTING INC.,
and
PANASONIC CORPORATION OF NORTH
AMERICA.

Defendants.

JURY TRIAL DEMANDED

PLAINTIFFS' INITIAL DISCLOSURES PURSUANT TO RULE 26(a)(1)

Plaintiffs Global Innovation Technology Holdings, LLC and Information Protection and Authentication of Texas, LLC (collectively, “Plaintiffs”) hereby provide the following Fed. R. Civ. P. Rule 26(a)(1) initial disclosures. These disclosures are made to the best of Plaintiffs’ ability and are based on the information reasonably available to Plaintiffs, or in their possession as of this date, following a good faith inquiry in accordance with Fed. R. Civ. P. Rule 26.

Plaintiffs' investigation as to possible witnesses and documents is ongoing, however, and Plaintiffs reserve the right to supplement and amend this disclosure to provide additional information acquired during the course of discovery and to rely on such information as evidence in this action. Plaintiffs also reserve the right to supplement this disclosure with confidential information after a suitable protective order is entered. This disclosure is made without waiver of, or prejudice to, any objection Plaintiffs may have, including the use at trial of any information disclosed in this document, this document itself, or any document or thing produced pursuant to Fed. R. Civ. P. Rule 26.

A. INDIVIDUALS LIKELY TO HAVE DISCOVERABLE INFORMATION

Based on information currently available to Plaintiffs, Plaintiffs identify the following individuals as persons presently known by Plaintiffs to have discoverable information relevant to the disputed facts and who may be called as a fact witness:

(1) Addison Fischer

Mr. Fischer has information related to the invention disclosed in U.S. Patent Nos. 5,311,591 and 5,412,717 (collectively, the "patents-in-suit"). Mr. Fischer may be contacted through counsel for Plaintiffs.

(2) Mark Nusbaum, Esq.
Nixon & Vanderhye
901 North Glebe Road, 11th Floor
Arlington, Virginia 22203

Mr. Nusbaum has information related to the prosecution of the patents-in-suit.

Plaintiffs believe that their experts, who will be disclosed in accordance with the Court's schedule, are likely to have discoverable information that Plaintiffs may use to support their claims. Additional witnesses not yet known to Plaintiffs, including, for example, persons whose

names appear in documents to be produced by the parties, may also have knowledge of relevant facts to support Plaintiffs' claims and defenses.

B. DOCUMENTS

At this time, Plaintiffs are aware of the following categories of documents and things in the possession, custody, or control of Plaintiffs or their counsel that may be used to support Plaintiffs' claims and defenses:

- (1) Documents related to the prosecution of the patents-in-suit.
- (2) Documents related to the conception and reduction to practice of the patents-in-suit.
- (3) Documents related to product development.
- (4) Documents relating to the computer security industry.

Plaintiffs' investigation, research and analysis of the issues in this case are ongoing. Plaintiffs expressly reserve the right to supplement their identification of categories of documents pursuant to Rule 26(e), Fed. R. Civ. P., as their investigation continues.

C. DAMAGES

Damages cannot be ascertained at this time without discovery. Plaintiffs' investigation, research and analysis of the damages in this case are ongoing. Plaintiffs expressly reserve the right to supplement their claim for damages, including, claims for willful infringement, costs and attorneys fees, if appropriate.

D. INSURANCE AGREEMENTS

Plaintiffs are currently unaware of any pertinent insurance agreements.

E. SUPPLEMENT DISCLOSURES

Plaintiffs expressly reserve the right to supplement these Initial Disclosures if additional information comes to their attention through supplementary investigation, discovery, or otherwise.

Dated: April 17, 2009

Respectfully submitted,

/s/ Alex Alvarez
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ATTORNEYS FOR PLAINTIFFS

GLOBAL INNOVATION

TECHNOLOGY HOLDINGS, LLC AND

INFORMATION PROTECTION AND

AUTHENTICATION OF TEXAS, LLC

CERTIFICATE OF SERVICE

I hereby certify that on April 17, 2009, I caused the following documents:

Plaintiffs' Initial Disclosures Pursuant to Rule 26(a)(1)

to be filed electronically with the Clerk of Court through ECF, and that ECF will send an e-notice of the electronic filing to the following:

All Counsel of Record

BY: /s/ Alex Alvarez
ALEX ALVAREZ
Florida Bar No. 946346